

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
JUL 11 10 15

NCS HEALTHCARE OF MARYLAND, INC., an
Ohio corporation, d/b/a APPLE INSTITUTIONAL
PHARMACY
3201 Enterprise Parkway, #220
Beachwood, Ohio 44122
Attn: Marybeth Levine/David Stacy

Plaintiff,

Case No. JFM 01 CV 2915

vs.
McCREADY FOUNDATION, INC.,
a Maryland Corporation, d/b/a THE
EDWARD T. McCREADY MEMORIAL
HOSPITAL, d/b/a PEYTON
PSYCHOGERIATRIC CENTER, and
d/b/a ALICE BYRD TAWES
NURSING HOME.

Serve On: Jack A. Willing, Jr., Esq .
11739 Somerset Ave.
P.O. Box 567
Princess Anne, MD 21853

Defendants.

JUDGMENT OF CONDEMNATION ABSOLUTE
WITH RESPECT TO WRIT OF GARNISHMENT

UPON THE MOTION OF Plaintiff and Judgment Creditor NCS Healthcare of Maryland, for entry of judgment of condemnation absolute upon the writ of garnishment served upon Capitol Securities Management, Inc. pursuant to Fed. R. Civ. Pro. 69 as it adopts Md. R. 2-645, the Court finding that the Court entered a final partial summary judgment in favor of Plaintiff by stipulation on or about January 4, 2002, that the Court issued a Writ of Garnishment directed to Capitol Securities Management, Inc., which Writ was served upon Daniel S. Collins, Vice

23
hl

President and Assistant Manager at 935 Mt. Hermon Rd., Salisbury, MD on April 11, 2002, and immediately thereafter on Judgment Debtor's counsel, as evidenced by the Certificate of Service filed in this Court, that no answer, defense, or other motion has been filed in this Court within the time set forth on the Writ of Garnishment by any person, that it appears assets had been held as of February 28, 2002 in the name of the Judgment Debtor by Capital Securities Management, Inc. in the amount of approximately \$1,500,000.00 and the request for judgment of condemnation absolute being less than the amount requested to be held in the uncontested writ, it is this 12 day of July, 2002 hereby ORDERED:

Pursuant to Md. R. 2-645(f) and 2-645(j), judgment is entered against garnishee Capitol Securities Management, Inc. in the amount of **\$466,643.45**, ~~plus costs of enforcement of \$~~ _____


UNITED STATES DISTRICT JUDGE
J. FREDERICK MOTZ

CC:
RAYMOND & PROKOP, P.C.
JUDITH GREENSTONE MILLER (P29208)
DENNIS W. LOUGHLIN (P57084)
Raymond & Prokop, P.C.
26300 Northwestern Hwy., 4th Floor
P.O. Box 5058
Southfield, MI 48086-5058
(248) 357-3010 (248) 357-2720 (Fax)
Attorneys for Plaintiff

DANEKER, MCINTIRE, SCHUMM, PRINCE
GOLDSTEIN, MANNING & WIDMANN, P.C.
BROOKE SCHUMM, III
Fed Bar. No. MD 05001

Daneker, McIntire, Schumm, Prince
Goldstein, Manning & Widmann, P.C.
210 N. Charles Street, Suite 800
Baltimore, MD 21201
Attorney for Plaintiff
(410) 649-4761

Jack A. Willing, Jr., Esq .
11739 Somerset Ave.
P.O. Box 567
Princess Anne, MD 21853
Attorney for Defendant, McCready Foundation, Inc., d/b/a The Edward W.
McCready Memorial Hospital, d/b/a Peyton Psychogeriatric Center, and d/b/a
Alice Byrd Tawes Nursing Home.

Capitol Securities Management, Inc.
Attn: Daniel S. Collins, Vice President and Assistant Manager
935 Mt. Hermon Rd.
Salisbury, MD 21804